

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

COURTNEY BOYD,)
AIS #208921,)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO. 2:06-CV-511-WKW
) [WO]
)
 DR. DARBOUZE, et al.,)
)
 Defendants)

ORDER ON MOTION

On January 9, 2007, the plaintiff filed a “motion for trial by court” in which requests that the court “set this matter down for an trial by the court to determine if it has to be trial before an jury” or can be settled by the parties. *Court Doc. No. 63* at 2. The court construes this portion of the document to contain a motion for status hearing. Additionally, the plaintiff asserts that “[w]hen trial by jury has been demanded ... the action shall be designated upon the docket as a jury action.” *Id.* The court construes this assertion as a motion for leave to submit jury demand. Upon review of the file in this case, and for good cause, it is

ORDERED that:

1. The motion for status hearing be and is hereby DENIED.
2. The motion for leave to submit jury demand be and is hereby DENIED as the

plaintiff failed to serve this request within the time mandated by Rule 38(b), *Federal Rules of Civil Procedure*.

Done this 9th day of January, 2007.

/s/ Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE